

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DARRELL PARKS,

Plaintiff

v.

S. ARGUETA, *et al.*,

Defendants

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Civil No. 1:15-cv-1514

Judge Rambo

Magistrate Judge Schwab

ORDER

Presently before the court is a report and recommendation (Doc. 9) filed by the magistrate judge in which she recommends that certain defendants in the captioned action be dismissed. Objections to the report and recommendation were due on November 16, 2015, and, to date, no objections have been filed.

Upon independent review of the facts and law applicable thereto, the recommendation will be adopted.

Accordingly, **IT IS HEREBY ORDERED** as follows:

- 1) The recommendation of the magistrate judge is **ADOPTED**;
- 2) The claims for injunctive relief are **DISMISSED** as moot;
- 3) The claims against all defendants in their official capacities are **DISMISSED**;
- 4) The claims against Defendants Shuck, Dilts, Chambers, Vayda, Went, Carper, Berkoski, Marr, Thomas, and Mottern

are **DISMISSED WITH PREJUDICE** for failure to state a claim;¹

- 5) This matter is remanded back to the magistrate judge for any further proceedings.

s/Sylvia H. Rambo
United States District Judge

Dated: November 30, 2015

¹ Parks was granted leave to file an amended complaint and has failed to do so. (Doc. 6, 9/23/15.)